

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

*

*

v.

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No. 09-CR-0030-GZS

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EDWARD BROWN, Defendant

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MOTION TO WITHDRAW AS COUNSEL

Now Comes Michael J. Iacopino and respectfully moves to withdraw as counsel for the Defendant Edward Brown.

In support of this motion Attorney Iacopino submits as follows:

1. I was appointed by the Court, first as standby counsel for the Defendant, and thereafter as trial counsel. I represented the Defendant throughout trial. On the first day of testimony I moved to withdraw as counsel based upon a breakdown in the attorney client relationship. That motion was denied.

2, The Defendant was convicted of all charges. Sentencing is presently scheduled for September 30, 2009.

3. On August 24, 2009, I met with the Defendant at the Strafford County House of Correction for the purpose of reviewing the pending probation report. The Defendant left that meeting without any substantive discussion of the report itself or possible objections.

4. On August 31, 2009, I again went to see the Defendant at the Strafford County House of Correction with the hopes of reviewing the pending probation report. The Defendant refused to come to the visiting room to meet with me. The correctional

officer on duty advised that the Defendant refused the visit and had told her that he “does not have a lawyer.”

5. Without explanation, the Defendant refuses to communicate with me and I cannot effectively represent his interest without communication.

6. The attorney client relationship has deteriorated to the point where the Defendant will not discuss the case with me.

7. Because this motion concerns the attorney client relationship, I have not sought the assent of the Government nor do I believe that they have standing to object to the relief requested herein.

WHEREFORE, I hereby respectfully move this Court permit me to withdraw as counsel for the Defendant and to appoint new counsel who can effectively represent the Defendant’s interest at sentencing.

Date: September 2, 2009

Respectfully submitted
EDWARD BROWN by his counsel,
Brennan Caron Lenehan & Iacopino
/s/Michael J. Iacopino
By: Michael J. Iacopino Esq. (NH 1233)
Brennan Caron Lenehan & Iacopino
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CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2009, the above Motion to Withdraw As Counsel was served electronically via ECF on all counsel of record, including Assistant Federal Defender, Bjorn Lange, Assistant United States Attorney, Arnold Huftalen, Assistant United States Attorney, Terry Ollila.

s/Michael J. Iacopino
By: Michael J. Iacopino Esq. (NH 1233)